



MARATHON COUNTY
PUBLIC SAFETY COMMITTEE MEETING
AMENDED AGENDA

Date & Time of Meeting: Wednesday, September 1, 2021 at 1:30 pm
Meeting Location WebEx/Courthouse Assembly Room, (B105), Courthouse, 500 Forest St., Wausau
Members: Matt Bootz, Chair; Brent Jacobson; Vice-Chair, Jennifer Bizzotto; Bruce Lamont; Jean Maszk; Allen Opall; Arnold Schlei

Marathon County Mission Statement: Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)

Committee Mission Statement: Provide leadership for the implementation of the Strategic Plan, monitoring outcomes, reviewing and recommending to the County Board policies related to public safety initiatives of Marathon County.

The meeting site identified above will be open to the public. However, due to the COVID-19 pandemic and associated public health directives, Marathon County encourages Public Safety Committee members and the public to attend this meeting remotely. Instead of attendance in person, Committee members and the public may attend this meeting by telephone conference. If Committee members or members of the public cannot attend remotely, Marathon County requests that appropriate safety measures, including adequate social distancing, be utilized by all in-person attendees.

Persons wishing to attend the meeting by phone may call into the telephone conference beginning five (5) minutes prior to the start time indicated above using the following number:

Phone#: 1-408-418-9388

Access Code: 146-159-7938

The meeting will also be broadcast on Public Access or at https://tinyurl.com/MarathonCountyBoard

When you enter the telephone conference, PLEASE PUT YOUR PHONE ON MUTE!

- 1. Call Meeting to Order
2. Public Comment (15 Minutes) (Any person who wishes to address the County Board, or one of its committees, during the "Public Comment" portion of meetings, must provide his or her name, address, and the topic he or she wishes to present to the Marathon County Clerk, or chair of the committee, no later than five minutes before the start of the meeting.)
3. Approval of the August 4, 2021 Public Safety Committee Meeting Minutes
4. Policy Issues Discussion and Potential Committee Determination
5. Operational Functions Required by Statute, Ordinance or Resolution:
6. Educational Presentations/Outcome Monitoring Reports
A. Morgue Task Force Update
B. Bug Tussel Broadband Expansion Update
C. Continued discussion of Public Safety Committee Strategic Plan objectives
1) What have we done?
2) What do we need to discuss?
7. Next Meeting Time, Location, Announcements and Agenda Items:
A. Committee members are asked to bring ideas for future discussion
B. Next meeting: Wednesday, October 6, 2021 at 1:30 pm
8. Adjournment

\*Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 261-1500 or e-mail countyclerk@co.marathon.wi.us one business day before the meeting

SIGNED /s/ Matt Bootz
Presiding Officer or Designee

NOTICE POSTED AT COURTHOUSE

FAXED TO: Wausau Daily Herald, City Pages, and
FAXED TO: Other Media Groups
FAXED BY: Toshia Ranallo
FAXED DATE & TIME: 8/31/2021 2:00 p.m.

BY: Toshia Ranallo
DATE & TIME: 8/31/2021 2 p.



# MARATHON COUNTY PUBLIC SAFETY COMMITTEE MEETING MINUTES

Wednesday, August 4, 2021 at 1:30 pm

WebEx/Courthouse Assembly Room, (B105), Courthouse, 500 Forest St., Wausau

Members	Present/Web-Phone	Absent
Chair Matt Bootz	X	
Vice Chair Jennifer Bizzotto	W	
Brent Jacobson	Phone	
Bruce Lamont	W	
Jean Maszk	X	
Allen Opall	W	
Arnold Schlei	X	

**Also Present:** Lance Leonhard, Craig McEwen, Michael Puerner, James Russell, Eric Jensen, Kelly Girmscheid, Erin Crawford, David Baker, and Toshia Ranallo.

**VIA Web or Phone:** Sandi Cihlar, Thomas Seubert, Kelly Schremp, Cory Tomczyk, and six other callers.

**1. Call Meeting to Order**

The meeting was called to order by Chair Bootz at 1:30 p.m.

**2. Public Comment**

The following citizens spoke in favor for a “Marathon County Constitutional Sanctuary County Resolution.”

Citizens	Address
James Russel	5907 Tricia Ave., Weston, WI 54476
Eric Jensen	178808 Pine View Dr. Birnamwood, WI 54414
Kelly Grimsscheid	200925 Wonderland Dr.
David Baker	690 Happy Hollow, Kronenwetter, WI 54455
Erin Crawford	234905 Clay Rd., Aniwa, WI 54408
Colin Kobishop	202271 Dubay Dr., Mosinee, WI 54455
Cory Tomczak	146 223 Beaver Rd., Mosinee, WI
Richard Pixley	226129 Gavitt St., Schofield, WI

Supervisor Donna Krause expressed concerns regarding bus transportation and the safety of the disabled, elderly, and children. She implied there have been injuries from bus drivers.

**3. MOTION BY MASZK; SECOND BY SCHLEI TO APPROVE THE MINUTES OF THE JUNE 30, 2021 PUBLIC SAFETY COMMITTEE MEETING. MOTION CARRIED.**

**4. Policy Issues Discussion and Potential Committee Determination – None.**

**5. Operational Functions Required by Statute, Ordinance or Resolution:**

- A. Recommendation for consideration by the County Board to abolish 1.0 FTE Administrative Specialist (Window Clerk) (B21) position and create 1.0 FTE Criminal Justice Specialist (Court Clerk) (B22) in Clerk of Courts Office to take effect in 2021.

Action:

- B. **MOTION BY JACOBSON; SECOND BY MASZK TO MOVE TO ABOLISH A 1.0 FTE ADMINISTRATIVE SPECIALIST (WINDOW CLERK) (B21) POSITION; AND CREATE A 1.0 FTE CRIMINAL JUSTICE SPECIALIST (COURT CLERK) (B22) POSITION IN THE CLERK OF COURTS OFFICE, TO TAKE EFFECT IN 2021. MOTION CARRIED.**

Follow Up:

Forward to the HR Finance Committee for consideration.

C. 2022 Budget Position Requests:

- 1) Create 1.0 FTE Administrative Coordinator (Legal Secretary) B23 in the District Attorney’s Office
- 2) Create 1.0 FTE Communications Specialist (911 Dispatcher) B23 in the Sheriff’s Office

Discussion:

Administrator Leonhard explained new position requests must be approved first by the administrator, then by the associated standing committee, next forwarded to the HR Finance & Property Committee, and lastly approved by the full county Board. These requests are two priorities identified during the system budgeting process. The Administrator approves the requests and asked the committee to also approve and move them forward.

He further explained the District Attorney's office will receive another prosecutor which was included in the state's budget. The new administrative coordinator position will be an asset to this office that is already overburdened with a challenging workload.

The communication specialist is needed to support the additional dispatch channel. Administrator Leonhard will work to find funding sources for these positions.

*Action:*

**MOTION BY LAMONT; SECOND BY JACOBSON TO RECOMMEND TO THE HR FINANCE & PROPERTY COMMITTEE, TO CREATE AN ADMINISTRATIVE COORDINATOR (LEGAL SECRETARY) B23 IN THE DISTRICT ATTORNEY'S OFFICE; AND A 1.0 FTE COMMUNICATIONS SPECIALIST (911 DISPATCHER) B23 IN THE SHERIFF'S OFFICE. THESE POSITIONS ARE REQUESTED TO BE INCLUDED IN THE 2022 BUDGET. MOTION CARRIED.**

*Follow Up:*

Forward to the HR Finance & Property Committee for consideration.

## **6. Educational Presentations/Outcome Monitoring Reports**

### **A. Update on Regional Morgue Taskforce**

*Discussion:*

Medical examiner Jessica Blahnik informed the committee she is working with a firm on an analysis for space needs. This will assist in a better understanding for design and construction expenses. The proposed Regional Forensic Science Center is estimated be over 13,000 sq.ft. Costs have increased from \$4.5 million to an estimated \$6.8 million due to the pandemic and inflation. Renovations to the existing facility would cost a bit less but location is to be discussed and determined at the next meeting scheduled for August 16<sup>th</sup> at 10:30 a.m.

Administrator Leonhard provided additional context on the needs for a forensic pathologist in our area. Neighboring counties and counties in northern Wisconsin and Upper Michigan are supportive and interested in partnering with Marathon County as well as area health care systems.

Blahnik further reported on delays with getting autopsies scheduled at facilities in Madison, Milwaukee, and Fond du Lac due to overflow and shortage of pathologists. An Eau Claire hospital has ceased to conduct autopsies for coroners and medical examiners resulting in another provider Marathon County is unable to rely upon. Our area is in great need for this resource and Wausau is a prime location being the center of the state and surrounded by large health care systems who are supportive of the project.

### **B. Update on Criminal Justice Coordinating Council**

*Discussion:*

Administrator Leonhard explained next steps for the CJCC. They will need to schedule a meeting to elect a chair and create bylaws.

### **C. Review of the System Budgeting process from 2021 and future budgets**

*Discussion:*

Chair Boots and Supervisor Jacobson provided the committee with a presentation illustrating outcomes from criminal justice system budgeting meetings. The group included representation from Administration, the Clerk of Courts, DA and Sheriff Offices, Judges and the Justice System Coordinator. They identified short and long term needs, and explored opportunities to increase revenue, share positions, create efficiencies, and reduce expenditures. The presentation can be viewed in the packet on our [website here](#).

### **D. Continued discussion of Public Safety Committee Strategic Plan objectives**

- 1) What have we done?
- 2) What do we need to discuss?

*Discussion:*

Chair Bootz recapped on the committee's strategic plan objectives identified below and provided a [document outlining priorities](#) discussed at prior Public Safety meetings.

- 3.3 – Ensure that every child makes it to adulthood with health, stability, and growth opportunities.
- 3.7 – Ensure that every person has local access to effective mental health treatment.
- 7.1 – Provide cost-effective and high-quality public safety services.
- 7.2 – Mitigate the impacts of heroin and methamphetamine epidemics in Marathon County through evidence-based practices.

He asked committee members to review the document and advise him of any other items to be added to future agendas for discussion.

Supervisor McEwen reminded the committee the end of the five-year strategic plan will be in 2022. He suggested the information provided today be documented in a template previously provided for tracking purposes and to be consistent with formats of other standing committee's goals and objectives.

Other topics discussed:

- OWI legislative change
- Access to effective mental health treatment
- Medicaid coverage policy changes for incarcerated individuals
- Funding for drug task force facility; approve new dispatchers and police communication channels
- Reconstruction of courthouse security staff
- Emergency repairs to the jail
- Infrastructure 9-1-1 issues are being addressed by the Broadband Taskforce
- New crisis beds open at NCHC?
- Youth psychiatric hospital is in operation.

*Follow Up:*

Continue to discuss the Strategic Plan objectives at the next regular committee meeting.

**E. Marathon County Constitutional Sanctuary County**

*Discussion:*

Chair Bootz explained he was urged by citizens to put this resolution on the agenda for educational purposes and encouraged input from the committee.

Supervisor's comments:

- This is not policy. These issues should be addressed in a community forum not a statutory body.
- Should not be coming to the Public Safety Committee. More time we spend on resolutions the less time is being spent on critical issues.
- Support the concept, consider adjusting the language
- We have already taken on oath but certain commission and committee members do not take the oath and resolutions coming from these committees raise constitutional concerns.
- In support of this resolution.
- Suggest forwarding this resolution on to the Rules of Review Committee

**7. Next Meeting Time, Location, Announcements and Agenda Items:**

**A. Next meeting: Wednesday, September 1, 2021 at 1:30 pm**

**8. Adjournment**

**MOTION BY MASZK; SECOND BY JACOBSON TO ADJOURN THE MEETING AT 2:09 P.M. MOTION CARRIED.**

Respectfully submitted by,  
Toshia Ranallo

## Public Safety Strategic Plan Priorities:

3.3 – Ensure that every child makes it to adulthood with health, stability, and growth opportunities.

3.7 – Ensure that every person has local access to effective mental health treatment.

7.1 – Provide cost-effective and high-quality public safety services\*\*\*\*\*

7.2 – Mitigate the impacts of heroin and methamphetamine epidemics in Marathon County through evidence-based practices.

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## Public Safety Strategic Plan items discussed at Standing committee meetings:

- May 2020 What are the Committee's priorities for the next two years in light of the Strategic Plan and Comprehensive Plan (Executive Summary)? – discussion

- July 2020

- 1) Intergovernmental Agreement with the Town of Rib Mountain for Law Enforcement Services
- 2) 911 Emergency Dispatch Center Completed Renovation
- 3) Application for UniverCity Year Grant to move forward Strategic Plan objective 7.1
- 4) Update on COVID-19 Courthouse Operations , Development of Court Safety and Operational Plans

- August 2020

- 1) Update on the Regional Morgue (Forensic Science Center) Business Plan
- 2) Marcy's Law – Impact it has on District Attorney's Office and Court Operations
- 3) Marathon County Sheriff's Office Seeking Information Relative to Implementation Of Body Cameras as Part of 2021 Annual Budget
- 4) FY2020 Edward Byrne Memorial Justice Assistance Grant (JAG)

- September 2020

- 1) Update on the Jail and our COVID preparedness and reimbursement response (Chad Billeb)

- 2) Update on the Strategic Plan (Craig McEwen)
- 3) Update on UniverCity Application – specific criminal justice related topics

#### - November 2020

- 1) Update on Impact of Recent Legislation on Operating While Intoxicated Treatment Court and Next Steps Relative to Treatment Court Operations Planning (Huber and Yarie)
- 2) Wisconsin Changes Policy relative to Medicaid Coverage for Incarcerated Individuals (Leonhard) 1) What does this mean for inmates?  
<https://www.dhs.wisconsin.gov/news/releases/101620.htm>
- 3) Update from Sheriff's Office on COVID-19 Mitigation Efforts Within the Jail (Billeb)
- 4) Status of the District Attorney's Office in light of the County's Prioritization and Upcoming Judicial System Changes – (Wetzsteon)

#### - December 2020

- 1) Diversion Programs – What are they, who do they serve, and how do they impact our justice system? (Ruth Heinzl)
- 2) Law Enforcement Appreciation Project (LEAP) (Kara Mohr-Weiland)
- 3) Update on our Evidence-Based Decision-Making Pretrial Assessment & Case Management Planning and Pilot.
- 4) Review of Draft System Budgeting Approach and Timeline
- 5) Resolution amending Chapter 9 Of The General Code Of Ordinances, Relating To Regulations Relevant To Public Peace And Good Order Within Marathon County

#### - February 2021

- 1) Resolution – Support for Amendments to 2019 Wisconsin Act 106 and WIS. STATS. § 343.31(1M)(B) Regarding Operating While Intoxicated (OWI) Offenses

#### - March 2021

- 1) State Reimbursement for Housing Inmates Pending Transfer to Prison, Jail huber/Electronic Monitor Pilot (Sandra LaDu)
- 2) Update from Justice Alternatives Coordinator (Laura Yarie) on effort to Develop Key Performance Indicators (KPIs) for Justice Alternatives Programs
- 3) Discussion of the Governor's Proposed Budget and how it Impacts County Departments over which this Committee has Policy Oversight Responsibility

- April 2021

- 1) State Reimbursement for Housing Inmates Pending Transfer to Prison, Jail Huber/Electronic Monitor Pilot (Sandra LaDu)
- 2) Update on System Budgeting efforts
- 3) Discussion of the Governor's Proposed Budget and how it Impacts County Departments over which this Committee has Policy Oversight Responsibility
  - a. What priorities do you believe Marathon County Board leadership should express to legislative representatives through the budget process
- 4) Marathon County Strategic Plan Objective 7.1 – Provide Cost-Effective and High Quality Public Safety Services
  - a. What was accomplished in 2020 by this committee relating to implementation of the Strategic Plan?
  - b. What are the plans for 2021 relating to the implementation of the Strategic Plan?
  - c. Does this committee understand their role for implementing the Strategic Plan?

- May 2021

- 1) Review of Past Discussions of County Event Policy and Discussion of Next Steps
- 2) DOJ Requests a Letter of Support be sent to Legislators for Treatment Alternative Diversion Program Funding
- 3) Update from Justice Alternatives Coordinator (Laura Yarie) on effort to Develop Key Performance Indicators (KPIs) for Justice Alternatives Programs
- 4) Update on Pretrial Case Management
- 5) Marathon County Shelter Home update
  - a. What is it, current financial operations, and long-term does Marathon County address this need in some other manner?
- 6) Update on Criminal Justice System Budgeting

- June 2021

- 1) Recommendation to Amend the 2021 Capital Improvement Program to add Regional Forensic Science Center Project – Facility Acquisition and Design (Jessica Blahnik), to be forwarded to the Capital Improvement Committee for consideration
- 2) 2022 Capital Improvement Program request for Regional Forensic Science Center Project – Construction
- 3) Forensic Science Center Project Update, including Autopsy Service Constraints (Jessica Blahnik)
- 4) System Budgeting Update – (Bootz and Jacobson)

- July 2021

1) Resolution and Ordinance creating Criminal Justice Collaborating Council

- August 2021

- 1) Create 1.0 FTE Administrative Coordinator (Legal Secretary) B23 in the District Attorney's Office
- 2) Create 1.0 FTE Communications Specialist (911 Dispatcher) B23 in the Sheriff's Office
- 3) Update on Regional Morgue Taskforce
- 4) Update on Criminal Justice Coordinating Council
- 5) Review of the System Budgeting process from 2021 and future budgets
- 6) Continued discussion of Public Safety Committee Strategic Plan objectives
  - a. What have we done?
  - b. What do we need to discuss?



# Bug Tussel Wireless LLC

Presentation to Marathon County Board

# Bug Tussel Wireless LLC

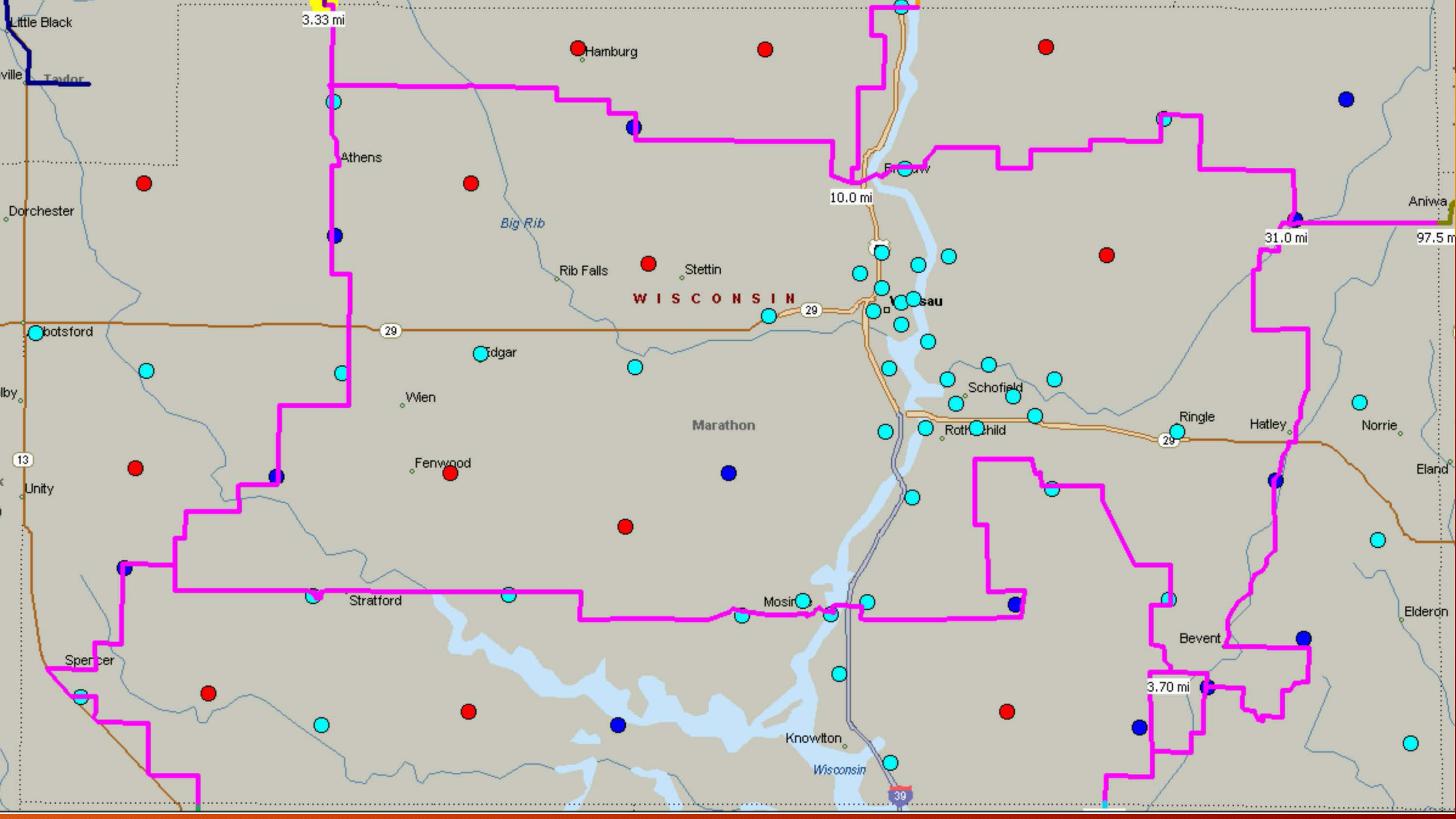
## Marathon County Broadband Project

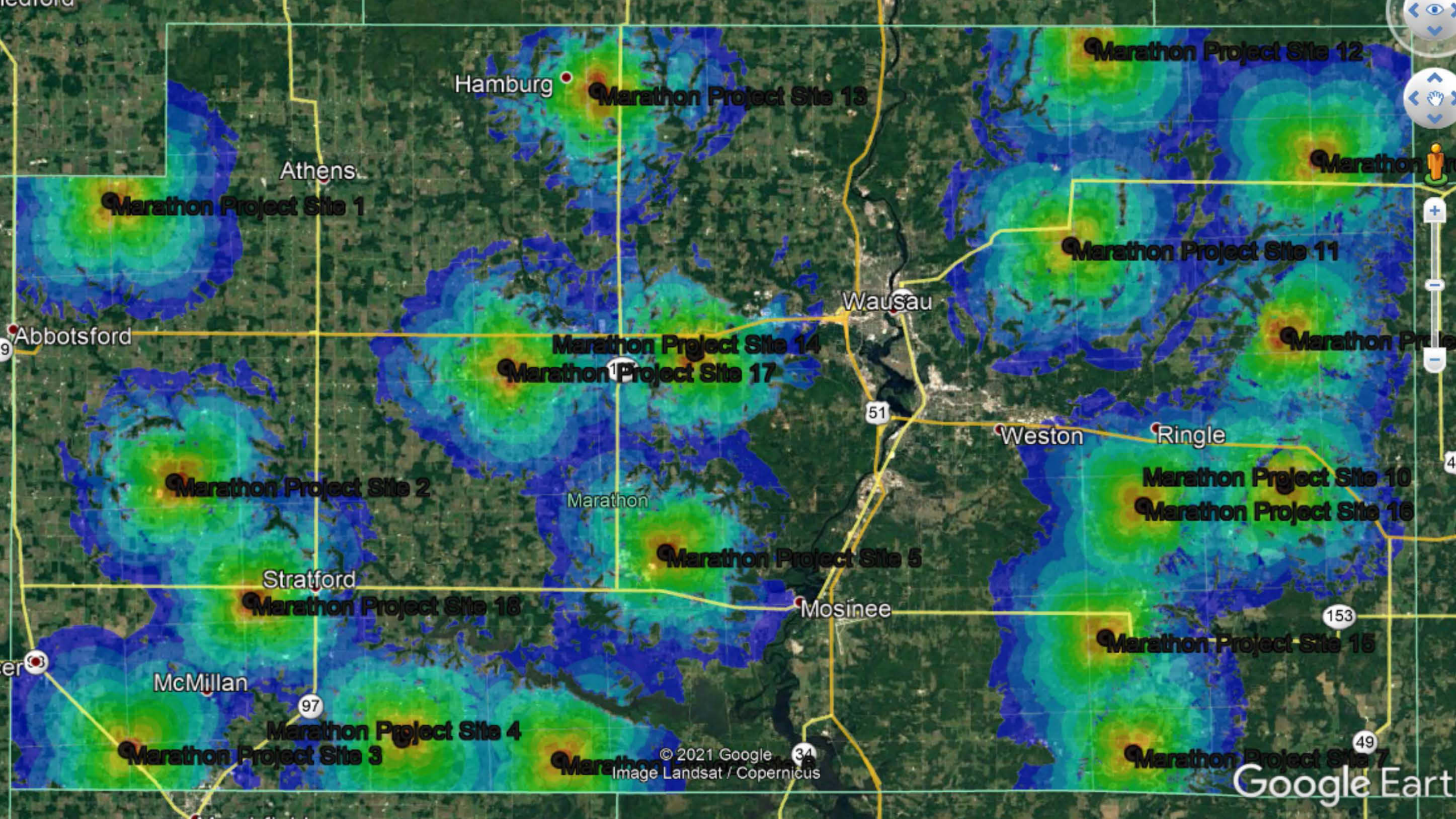
- Who is Bug Tussel Wireless LLC
  - Wholly owned by Hilbert Communications LLC
  - Hilbert owned 80% by Paul Gehl & related; Steve Schneider & related; Bob Eddy & related (other 20% approximately 12 phone companies/individuals)
  - Started in 2003 (18 years in business) by Steve Schneider
  - 2020 Revenue of \$64 million and Net Income of \$19 million
  - Sister companies include:
    - Red Tail Tower LLC (construction)
    - Midwest Data Core LLC (switching and routing)
    - Michigan Wireless LLC (spectrum holdings)
    - Cloud 1 Services LLC (site acquisition)
  - Key Employees include:
    - Steve Schneider - Founder, President, CEO
    - Erin Wichmann - Chief Technical Officer
    - Jason Wied JD - Chief Operating Officer and General Counsel
    - Joe Vandenhouten CPA - Chief Financial Officer
    - Cynthia Porter PhD - Director of the Bug Tussel Experience

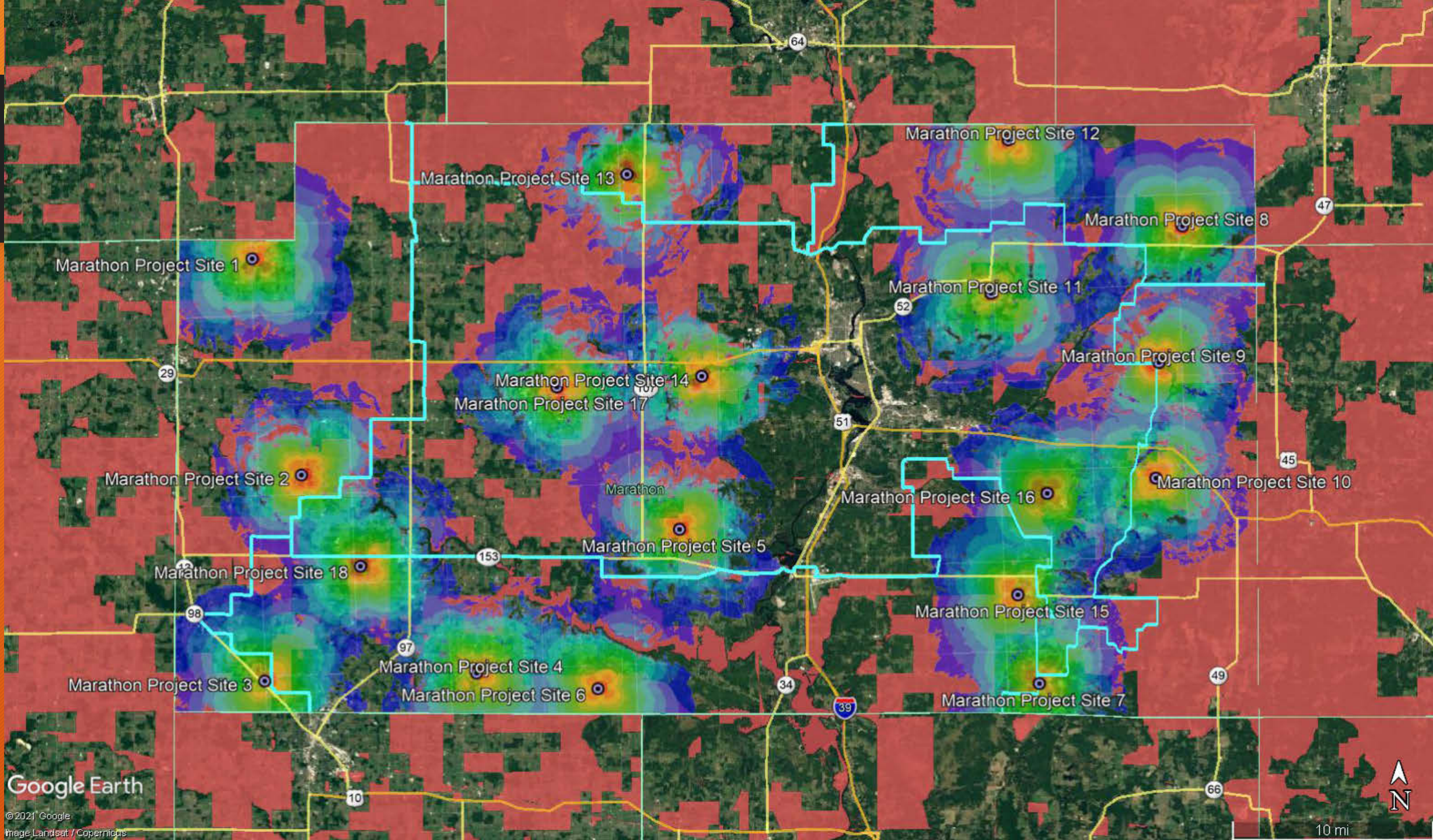
# Bug Tussel Wireless LLC

## Marathon County Broadband Project

- Objectives:
  - 25 Mbps service for virtually everyone NOW
  - 100 Mbps service for anyone needing it NOW
  - 1+ Gbps service in the mid-term
  - Open Network for all providers wanting to use core fiber and towers
  - Using broadband for higher standards of living and economic development
  - No cost to local government with significant returns to the public
  - Nominal risk to local government







Google Earth

© 2021 Google  
Image Landsat / Copernicus

10 mi

	36,019	Potential	<b>53.5% of land area</b>	
<b>Site #</b>	<b>POPs</b>	<b>Per Household</b>	<b>Households</b>	
<b>1</b>	1,166	2.41	484	
<b>2</b>	863	2.41	358	
<b>3</b>	4,958	2.41	2,057	
<b>4</b>	1,340	2.41	556	
<b>5</b>	4,490	2.41	1,863	
<b>6</b>	399	2.41	166	
<b>7</b>	70	2.41	29	
<b>8</b>	721	2.41	299	
<b>9</b>	959	2.41	398	
<b>10</b>	1,991	2.41	826	
<b>11</b>	3,678	2.41	1,526	
<b>12</b>	665	2.41	276	
<b>13</b>	1,149	2.41	477	
<b>14</b>	4,684	2.41	1,944	
<b>15</b>	731	2.41	303	
<b>16</b>	1,466	2.41	608	
<b>17</b>	3,362	2.41	1,395	
<b>18</b>	2,622	2.41	1,088	
<b>TOTAL Estimated</b>	<b>35,314</b>	<b>Pops</b>	<b>14,653</b>	<b>Calculated residences</b>
Fiber				
Rural (198.33 miles)	2,865	Calculated Pops	1,189	residences
Adjacencies	8,382	Calculated Pops	3,478	estimated residences
<b>TOTAL Estimated</b>	<b>11,247</b>	<b>Pops</b>	<b>4,667</b>	<b>residences</b>

# COVERAGE STATISTICS

- Middle Mile Fiber 198.33 miles
- Gbps Fiber Residences Passed 1,189 residences
- Estimated Additional Residences 3,478 ( in communities passed)
  
- Coverage with 100 Mbps Wireless 36,019 population
- Estimated Residences (2.41 pops) 14,946 residences
- Percent of Land Area of County 53.5%



# Bug Tussel Wireless LLC

## Marathon County Broadband Project

- **Strategy:**
  - **Deploy fixed wireless broadband immediately**
    - Using Cambium 450M Medusa with 400 Mbps per sector
  - **Deploy a “middle mile” fiberoptic route** that connects towers, aggregation points, key locations and “fiber to the premise” along the route.
    - DWDM equipment initially operating at 200 GBps (Dense wavelength division multiplexing)
    - DWDM equipment can scale up to 800 GBps
    - GPON to the home (Gigabit Passive Optical Network) at 1 GBps
    - Can scale up to 25 Gbps GPON
  - **Provide “Open Access” to encourage other “last mile” fiber to the premise providers.**
    - RDOF providers (Rural Digital Opportunity Fund)
    - Local providers
    - Independent providers

# Bug Tussel Wireless LLC

## Marathon County Broadband Project

- VALUE ADDED FROM BUG TUSSEL
  - Speed of Deployment
    - Own tower and fiber crews
    - Already working on tower sites and engineering
  - Bug Tussel University
    - Community education on topics such as artificial intelligence, telehealth, agritech, IOT
    - Courses to assist in economic development and employee workforce development
  - AT&T Relationship
    - Expansion of Cellular Network
    - FirstNet
    - AT&T Agency
    - Roaming or tower access for other providers
  - Repayment of Financed Amounts with Margin
    - 40 Basis Points on Guaranteed Bonds
    - Direct arrangement at county's discretion from unutilized funds at 3.35% Interest

# Bug Tussel Wireless LLC

## Marathon County Broadband Project

- PROJECT COST (\$22,459,800)
  - Broadband towers (18 towers) \$ 6,250,000
  - Fiberoptic network (198.33 mi) \$12,889,000
  - Broadband and backhaul electronics \$ 2,560,000
  - Consumer premise connectivity (1,920) \$ 460,800

# Bug Tussel Wireless LLC

## Marathon County Broadband Project

- PROJECT FINANCING

- WPSC Grant (\$2,347,073)
- Bug Tussel Wireless LLC or P/E partners (\$1,000,000)
- Conduit Bond (\$19,558,941)
- County ARPA Funds Unknown

# Bug Tussel Wireless LLC

## Marathon County Broadband Project

- Conduit Bonds
  - Fond du Lac County is issuer and is paid 10 basis points
  - Bug Tussel Wireless LLC/Hilbert Communications LLC is target of conduit
  - Marathon County provides guaranty of Debt Service Fund replenishment via InterGovernmental Agreement (IGA)
  - Bonds include:
    - 3 Years of capitalized interest during construction and draw down
    - 1 Year of Debt Service Fund
    - Issuance Fees

# Bug Tussel Wireless LLC

## Marathon County Broadband Project

- Marathon County receives
  - 40 basis points on outstanding balance (Approx \$1.2 million)
    - Marathon County provides guaranty of Debt Service Fund replenishment
    - Bonds include:
      - 3 Years of capitalized interest during construction and draw down
      - 1 Year of Debt Service Fund
      - Issuance Fees
  - 24 dark fibers for county use (non-compete included)
  - First lien on all financed assets in county
  - Guaranty of Hilbert Communications LLC
  - Access to tower space at no cost (limited to one loading location)
  - Additional sales and property tax revenue

# Bug Tussel Wireless LLC

## Marathon County Broadband Project

- Contact

Steve Schneider

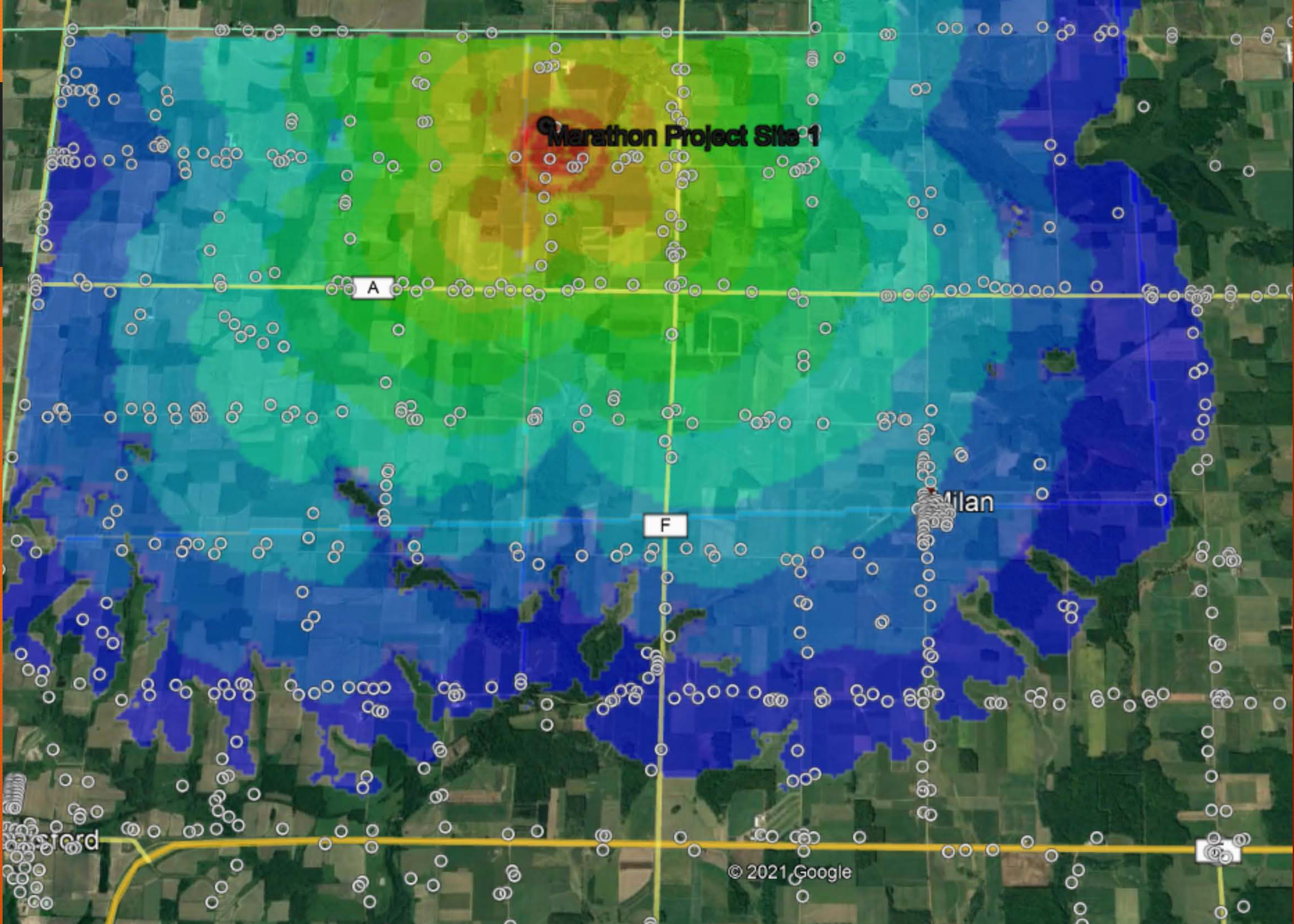
[Steve.Schneider@BugTusselWireless.com](mailto:Steve.Schneider@BugTusselWireless.com)

920-662-3063

Mitchel Olson

[Mitchel.Olson@BugTusselWireless.com](mailto:Mitchel.Olson@BugTusselWireless.com)

715-820-2504



Marathon Project Site 1

A

F

Milan

Stord

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**MARATHON COUNTY, WISCONSIN**  
RESOLUTION NO. 2021-\_\_\_\_\_

INITIAL RESOLUTION APPROVING  
REVENUE BOND FINANCING FOR BUG TUSSEL WIRELESS, LLC

INTRODUCED BY: Human Resources, Finance & Property Committee

INTENT & SYNOPSIS: To provide approval of an Initial Resolution of Marathon County to participate with other counties in accordance with an Intergovernmental Agreement pursuant to which Fond du Lac County, Wisconsin will serve as the conduit bond issuer for Revenue Bond Financing for Bug Tussel Wireless, LLC to finance a project for acquisition, construction and installation of certain telecommunications infrastructure, for the purpose of providing wireless internet and telephone communication services to businesses, governmental units and residents of rural communities where such service is currently unavailable or prohibitively expensive (the "Project"), which includes Project costs located in Marathon County in an amount not to exceed \$25,000,000.

FISCAL NOTE: None.

WHEREAS, Section 66.1103 of the Wisconsin Statutes (the "Act") authorizes municipalities to authorize the issuance and sale of bonds to construct, equip, re-equip, acquire by gift, lease or purchase, install, reconstruct, rebuild, rehabilitate, improve, supplement, replace, maintain, repair, enlarge, extend or remodel industrial projects; and

WHEREAS, Bug Tussel Wireless, LLC, a Wisconsin limited liability company (the "Company"), and/or one or more of its affiliates (including, without limitation, Hilbert Communications, LLC and Cloud 1, LLC), whether existing on the date hereof or to be formed and whether owned directly or indirectly by the Company, to finance a project consisting of the acquisition, construction and installation of certain telecommunications infrastructure that includes, among other things (i) acquisition of tower sites by purchase or lease of land and equipping such sites with towers and electronics to provide broadband, high speed cellular, emergency communications and point to point (P2P) data communications; (ii) constructing fiberoptic data transmission facilities (cable and electronics) between towers, key community facilities, businesses and residential aggregation points; (iii) where appropriate, connecting individual premises into the broadband network including the cost of Consumer Premise Equipment (CPE); (iv) payment of capitalized interest; (v) funding of a debt service reserve fund; (vi) payment of such project costs located in Marathon County in an amount not to exceed \$25,000,000; and (vii) payment of professional fees (collectively, the "Project"), all of which will be for the purpose of providing wireless internet and telephone communications services to businesses, governmental units and residents of rural communities where such service is currently unavailable or is prohibitively expensive; and

WHEREAS, Marathon County, Wisconsin is a political subdivision of the State within whose boundaries a portion of the Project is located; and

WHEREAS, pursuant to Sections 66.1103 and 66.0301 of the Wisconsin Statutes, individual counties or two or more counties, each a "Participating County", acting pursuant to an Intergovernmental Agreement may serve as the conduit issuer for such financing; and

WHEREAS, (i) the aggregate cost of the Project in Marathon County and the Participating Counties is presently estimated to be not greater than \$240,000,000, (ii) the aggregate amount of the Project proposed to be financed with one or more issues or series of tax-exempt or taxable revenue bonds does not exceed \$240,000,000 (the "Bonds") to be issued by Fond du Lac County, Wisconsin (the "Issuing County") acting pursuant to intergovernmental powers, and (iii) the portion of the Project located in Marathon County does not exceed \$25,000,000; and

WHEREAS, Section 66.1103(3)(f) of the Wisconsin Statutes provides that a municipality also may finance an industrial project which is located entirely outside the geographic limits of the municipality, but only if the revenue agreement for the project also relates to another project of the same eligible participant, part of which is located within the geographic limits of the municipality; and

WHEREAS, the Project includes necessary infrastructure for essential services by and for Marathon County and local units of government in Marathon County and is in furtherance of the public purposes set forth in the Act; and

WHEREAS, the proposed Project is a multi-jurisdictional project which is located in multiple counties to be identified, and the Company has requested that each of the Participating Counties approve an initial resolution (the "Initial Resolution") providing for the financing of the Project in an aggregate amount not to exceed \$240,000,000; and

WHEREAS, pursuant to the Intergovernmental Agreement, Fond du Lac County shall be the Issuing County of said revenue Bonds, and it shall be determined at a future date which county or counties shall be Participating Counties; and

WHEREAS, the Company has requested that Marathon County and other Participating Counties who will directly benefit from the Project to each provide a limited guaranty to enhance the collateral position of the Company in an amount equal to the pro rata portion of the Project costs incurred and essential services benefits derived in such Participating County; and

WHEREAS, the Company will have the primary obligation to make all scheduled principal and interest payments when due on the Bonds, and Marathon County's Guaranty will apply only in the event that the Company does not make the required payments due on the Bonds; and

WHEREAS, in return for Marathon County's Guaranty, Marathon County shall receive an annual guaranty fee of 40 basis points (0.40%) (based upon the amount of its Guaranty), and the Company will pay all costs to Marathon County and all expenses by Marathon County related to the bond issue; and

WHEREAS, as further security for its Guaranty, Marathon County shall receive a first mortgage on all land, buildings, and improvements of the Company located in Marathon County which are financed with proceeds of the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Marathon County Board of Supervisors as follows:

1. Marathon County hereby approves that Fond du Lac County, as the Issuing County, acting pursuant to the Intergovernmental Agreement, shall:

(a) Finance the Project in an aggregate amount not to exceed \$240,000,000 which includes Project costs located in Marathon County in an amount not to exceed \$25,000,000; and

(b) Acting pursuant to the Intergovernmental Agreement by and among one or more Participating Counties, Fond du Lac County shall issue industrial development revenue bonds in one or more issues or series of tax-exempt or taxable bonds in an aggregate amount not to exceed \$240,000,000 in order to finance costs of the Project located in the Participating Counties, pursuant to Section 66.1103(3)(f) of the Wisconsin Statutes.

2. The aforesaid plan of financing contemplates, and is conditioned upon, the following:

(a) The Bonds shall be limited obligations of the Issuing County, acting pursuant to the Intergovernmental Agreement, and are payable solely from revenues provided by the Company and are secured in part by the limited Guaranty of Marathon County;

(b) The Bonds shall never constitute an indebtedness of Marathon County, the Issuing County or the Participating Counties within the meaning of any state constitutional provision or statutory limitation;

(c) The Project shall be subject to property taxation in the same amount and to the same extent as though the Project were not financed with industrial development revenue bonds;

(d) The Company shall find a purchaser for all of the Bonds; and

(e) All out-of-pocket costs, including but not limited to legal fees, incurred by Marathon County in connection with the issuance and sale of the Bonds shall be

paid by the Company, whether or not the Issuing County or another Participating County ultimately issues the Bonds; and

(f) Marathon County shall be paid an annual guaranty fee of 40 basis points (0.40%) (based upon the amount of Marathon County's Guaranty).

3. The aforesaid plan of financing shall not be legally binding upon Marathon County nor be finally implemented unless and until:

(a) The details and mechanics of the bond financing are authorized and approved by a further resolution of Fond du Lac County, as the Issuing County, by a vote of at least three-fourths of the members-elect (as defined in Section 59.001(2m) of the Wisconsin Statutes) of the Board of Supervisors. Such approval shall be solely within the discretion of the Issuing County, acting pursuant to the Intergovernmental Agreement and approval of the Board of Supervisors of the Issuing County;

(b) Said approval and Guaranty are further conditioned upon terms and conditions of one or more written agreements between Marathon County and the various parties involved, ensuring that all of the proceeds from the sale of the Bonds shall be administered by a duly appointed independent trustee, that the bond proceeds shall be used exclusively for the development of the Project and for no other purpose, and that the project funds shall be paid over to the Company by the trustee only as they become needed for completion of the Project;

(c) The County Clerk of Marathon County shall cause notice of adoption of this Initial Resolution, in the form attached hereto as Exhibit A, to be published once in a newspaper of general circulation in Marathon County, and the electors of Marathon County shall have been given the opportunity to petition for a referendum on the matter of the aforesaid bond issue, all as required by law;

(d) Either no such petition shall be timely filed or such petition shall have been filed and said referendum shall have approved the bond issue;

(e) The county clerks of Marathon County and the Participating Counties shall each have received an employment impact estimate issued under Section 560.034 of the Wisconsin Statutes;

(f) The Bonds shall be limited obligations of the Issuing County, acting pursuant to the Intergovernmental Agreement and are payable solely from revenues provided by the Company and secured in part by a limited guaranty of each Participating County;

(g) All Participating Counties have entered into the Intergovernmental Agreement and identified Fond du Lac County as the Issuing County;

(h) All Participating Counties shall approve their respective guaranties by a vote of at least three-fourths of the members-elect of their respective County Board of Supervisors; and

(i) All documents required to consummate the financing have been duly authorized and delivered.

4. Pursuant to the Act, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Company having represented that it is able to negotiate satisfactory arrangements for completing the Project and that Marathon County's interests are not prejudiced thereby.

5. The County Clerk of Marathon County is directed following adoption of this Initial Resolution (i) to publish notice of such adoption not less than one time in the official newspaper of Marathon County, such notice to be in substantially the form attached hereto as Exhibit A and (ii) to file a copy of this Initial Resolution, together with a statement indicating the date the Notice to Electors was published, with the Wisconsin Economic Development Corporation within twenty (20) days following the date of publication of such notice.

6. This Initial Resolution is an "initial resolution" within the meaning of the Act and official action toward issuance of the Bonds. Furthermore, it is the reasonable expectation of Marathon County that proceeds of the Bonds may be used to reimburse expenditures made on the Project prior to the issuance of the Bonds. The maximum principal amount of debt expected to be issued for the Project on the date hereof is \$240,000,000.

7. Marathon County Officers and Corporation Counsel shall forthwith negotiate and confer with all interested parties, draft, edit, or approve and deliver the contracts or other documents necessary to carry out the provisions of this Initial Resolution; provided, however, that such Officers and Corporation Counsel shall present the same to the Board of Supervisors for the Board's final review, ratification, and approval of all of the specific terms and conditions contained in said documents prior to the issuance of the Bonds on behalf of the Company.

Recommended for adoption this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Adopted \_\_\_\_\_

Defeated \_\_\_\_\_ by the Marathon County Board of Supervisors this

Tabled \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
County Board Chair

\_\_\_\_\_  
County Clerk

I, the undersigned, the duly appointed and qualified Clerk of Marathon County, Wisconsin do hereby certify that the foregoing resolution was duly adopted by the County Board of Supervisors at a meeting of said County held in open session in accordance with the requirements of Subchapter V of Chapter 19 of the Wisconsin Statutes on \_\_\_\_\_, 2021.

MARATHON COUNTY, WISCONSIN

\_\_\_\_\_  
County Clerk

EXHIBIT A

NOTICE TO ELECTORS OF  
MARATHON COUNTY, WISCONSIN

TAKE NOTICE that the Board of Supervisors of Marathon County, Wisconsin ("Marathon County"), at a meeting held at Marathon County Courthouse – Assembly Room, 500 Forest Street, Wausau, Wisconsin, on \_\_\_\_\_, 2021, adopted an initial resolution (the "Initial Resolution") pursuant to Section 66.1103 of the Wisconsin Statutes, as amended, expressing the intention to issue not to exceed \$240,000,000 of industrial development revenue bonds (the "Bonds") on behalf of Bug Tussel Wireless, LLC, a Wisconsin limited liability company (the "Company"), and/or one or more of its affiliates (including, without limitation, Hilbert Communications, LLC and Cloud 1, LLC), to finance a project consisting of the acquisition, construction and installation of certain telecommunications infrastructure that includes, among other things (i) acquisition of tower sites by purchase or lease of land and equipping such sites with towers and electronics to provide broadband, high speed cellular, emergency communications and point to point (P2P) data communications; (ii) constructing fiberoptic data transmission facilities (cable and electronics) between towers, key community facilities, businesses and residential aggregation points; (iii) where appropriate, connecting individual premises into the broadband network including the cost of Consumer Premise Equipment (CPE); (iv) payment of capitalized interest; (v) funding of a debt service reserve fund; (vi) payment of project costs located in Marathon County in an amount not to exceed \$25,000,000; and (vii) payment of professional fees (collectively, the "Project"), all of which will be for the purpose of providing wireless internet and telephone communications services to businesses, governmental units and residents of rural communities. The Company has represented that the net number of full-time equivalent jobs which will be created in Marathon County is 4.

Pursuant to the terms of Section 66.1103 of the Wisconsin Statutes, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Company having represented that it is able to negotiate satisfactory arrangements for completing the Project and that Marathon County's interests are not prejudiced thereby.

THE BONDS SHALL NEVER CONSTITUTE AN INDEBTEDNESS OF MARATHON COUNTY, NOR SHALL THE BONDS GIVE RISE TO ANY PECUNIARY LIABILITY OF MARATHON COUNTY, NOR SHALL THE BONDS BE A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWERS OF MARATHON COUNTY. RATHER, THE BONDS SHALL BE PAYABLE SOLELY FROM THE REVENUES AND OTHER AMOUNTS TO BE DERIVED PURSUANT TO THE REVENUE AGREEMENT RELATING TO SAID PROJECT TO BE ENTERED INTO BETWEEN THE ISSUING COUNTY OR ISSUING COUNTIES AND THE COMPANY.

The Initial Resolution may be inspected in the office of the Marathon County Clerk at 500 Forest Street, Wausau, Wisconsin, during business hours.

TAKE FURTHER NOTICE THAT THE ELECTORS OF MARATHON COUNTY MAY PETITION FOR A REFERENDUM ON THE QUESTION OF THE BOND ISSUE. Unless within thirty (30) days from the date of the publication of this Notice a petition signed by not less than five percent (5%) of the registered electors of the Marathon County is filed with the County Clerk requesting a referendum on the question of the issuance of the Bonds, the Issuing County will issue the Bonds without submitting the proposition for the electors' approval. If such petition is filed as aforesaid, then the Bonds shall not be issued until approved by a majority of the electors of Marathon County voting thereon at a general or special election.

Kim Trueblood, County Clerk  
Marathon County, Wisconsin





**STRATEGIC PLAN OUTCOMES – \_\_\_\_\_ – \_\_\_\_\_**  
**PUBLIC SAFETY COMMITTEE**

**PUBLIC SAFETY GOAL:** *Marathon County is a safe and secure community for all residents and visitors.*

**Objective 7.1: Provide cost-effective and high quality public safety services.**

Strategy	Actionable Item	Contributors	Status	Action
A. Consider the potential to consolidate emergency service agencies.				
	a.			
	b.			
	c.			
	d.			
B. Respond to maltreatment allegations and provide protective services for vulnerable populations.				
	a.			
	b.			
	c.			
	d.			
C. Report every 2 years on the response time with advice for municipalities (ex: consolidation, realignment, or targeted education).				
	a.			
	b.			
	c.			
	d.			

**STRATEGIC PLAN OUTCOMES – \_\_\_\_\_ – \_\_\_\_\_**  
**PUBLIC SAFETY COMMITTEE**

**PUBLIC SAFETY GOAL:** *Marathon County is a safe and secure community for all residents and visitors.*

**Objective 3.3:** **Ensure that every child makes it to adulthood with health, stability, and growth opportunities.**

Strategy	Actionable Item	Contributors	Status	Action
A. Develop a plan to reduce childhood trauma.				
	a.			
	b.			
	c.			
B. Create a trauma-informed care system	d.			
	e.			
	f.			
C. Develop a comprehensive risk-based assessment to address juvenile offenders to reduce the likelihood of recidivism.	g.			
	h.			
D. Develop a framework for building resilient children.				
	a.			
	b.			

**STRATEGIC PLAN OUTCOMES – \_\_\_\_\_ – \_\_\_\_\_**  
**PUBLIC SAFETY COMMITTEE**

	c.			
	d.			
E. The County Board will approve a plan that creates a trauma-informed response system for services we provide.				

**STRATEGIC PLAN OUTCOMES – \_\_\_\_\_ – \_\_\_\_\_**  
**PUBLIC SAFETY COMMITTEE**

**PUBLIC SAFETY GOAL:** *Marathon County is a safe and secure community for all residents and visitors.*

**Objective 3.7: Ensure that every person has local access to effective mental health treatment.**

Strategy	Actionable Item	Contributors	Status	Action
A. Develop a continuum of services within a therapeutic community.				
	a.			
	b.			
	c.			
	d.			
B. Attract and retain qualified treatment providers and behavioral educators.				
	a.			
	b.			
	c.			
	d.			
C. Develop more mechanisms to ensure access to treatment across the County.				
	a.			
	b.			
	c.			
	d.			

**STRATEGIC PLAN OUTCOMES – \_\_\_\_\_ – \_\_\_\_\_**  
**PUBLIC SAFETY COMMITTEE**

D. Develop a more comprehensive approach to crisis prevention and serving people (adults and children) in crisis.				
	a.			
	b.			
	c.			
	d.			
E. Develop comprehensive mental health treatment options for criminal justice populations and others with criminogenic treatment needs.				
	a.			
	b.			
	c.			
	d.			
F. Conduct a Community needs assessment and create a plan to address identified gaps in service.				
	a.			
	b.			
	c.			
	d.			

**STRATEGIC PLAN OUTCOMES – \_\_\_\_\_ – \_\_\_\_\_**  
**PUBLIC SAFETY COMMITTEE**

**PUBLIC SAFETY GOAL:** *Marathon County is a safe and secure community for all residents and visitors.*

**Objective 7.2:** Mitigate the impacts of heroin and methamphetamine epidemics in Marathon County through evidence-based practices.

Strategy	Actionable Item	Contributors	Status	Action
A. Develop a comprehensive approach to address use of heroin and meth.				
	a.			
	b.			
	c.			
	d.			
B. Complete an inventory of programs, services, and community initiatives in relationship to best practices led or supported by Marathon County Government that contribute to mitigating and preventing drug misuse and abuse.				
	a.			
	b.			
	c.			
	d.			

**STRATEGIC PLAN OUTCOMES – \_\_\_\_\_ – \_\_\_\_\_**  
**PUBLIC SAFETY COMMITTEE**

C. Identify gaps in programs/services and community initiatives and opportunities for public/private partnerships to further efforts to mitigate and prevent drug misuse and abuse.				
	a.			
	b.			
	c.			
	d.			
D. Identify and advance public policy that would support the mitigation and prevention of drug misuse and abuse among residents of Marathon County.				
	a.			
	b.			
	c.			
	d.			
E. Identify and tack data points to measure the impact of drug misuse and abuse among residents of Marathon County.				
	a.			
	b.			



**STRATEGIC PLAN OUTCOMES – \_\_\_\_\_ – \_\_\_\_\_**  
**PUBLIC SAFETY COMMITTEE**